

Dehumanization; A normative definition and a case study on the '*Pacific Solution II*'

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Student Declaration

This thesis is presented for the honours degree of philosophy at Murdoch University in 2020.

Declaration: I declare that this thesis is my own account of my research and contains, as its main content, work that has not previously been submitted for a degree at any tertiary educational institution, including Murdoch.

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Abstract


Dehumanisation has the potential to be a thick normative tool that can then be applied to prevent moral relativism, by establishing a universal standard of morality. The significance of this is lost within moral philosophy with definitions of dehumanisation both few and rarely agreed upon. To address this, my research aims to create and apply dehumanization as a normative tool. In chapter 1, I will discuss and evaluate the philosophical definitions of dehumanization that feature within the literature. From this process, I shall also offer a list definition of dehumanization, incorporating components that emerge from this evaluative discussion. The list definition of dehumanization will comprise five different outcomes (three regarding action and two language) that are considered dehumanizing when applied upon an individual or group. To demonstrate the applicability of dehumanization as a normative tool, this list definition was used in a case study. This case study will focus on the Australian governments' treatment of non-documented asylum-seekers that arrive in Australia by boat. This issue has been highly politicised, with criticism suggesting asylum-seekers are dehumanized by the Australian government. To neutrally examine what can be considered government treatment, I have chosen to focus on non-document asylum-seeker policy and its consequences. Chapter 2 examines the policy design of the '*Pacific Solution II*' and its rhetoric in relation to asylum-seekers. Whilst, chapter 3 considers the observed consequences for asylum-seekers from the implementation of the '*Pacific Solution II*'. Through this case study I found no instances of dehumanizing language, but found instances of dehumanizing action. Dehumanizing outcomes regarding action were identified in both the policy's design and in the consequences of its implementation. These dehumanizing actions included: undermining the needs to maintain basic human flourishing, undermining the autonomy of a group or individual without benefiting their interests and alienation of the embodied experience.

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Introduction

Attempting to understand the failure of treating another person as a fellow human being—the problem of dehumanization—has long held my curiosity. Dehumanization is a term that is frequently used in various arguments against a particular action or events. The common denominator among the multiple uses of the term dehumanization is that it is always used in the sense of a moral wrong, which violates moral claim. However, the definition of dehumanization and how it constitutes a wrong is still disputed in the literature (Livingstone Smith 2016). Given questions over morality are addressed in the field of ethics, I argue that dehumanization should be explored through this branch of philosophy.

However, much of the literature has used dehumanization as a social psychological phenomenon (Motal, 2015; Christoff, 2014). The social psychological concept of dehumanization is an attitude where an individual or group is perceived as lacking humanity (Haslam, 2006). Thus, most applied examples throughout the literature discuss differential or sometimes mistreatment of certain groups (Haslam, 2006). This does not mean that dehumanization is restricted to this sphere alone. There are scholarly works which discuss dehumanization from a philosophical perspective, albeit on a smaller scale. Marie Mikkola's (2016) research in particular demonstrates the potential to employ dehumanization as a 'normative tool', a concept that can help us in determining whether an action constitutes a moral harm or instance of injustice. Thus, in framing dehumanization as a normative concept, we would in turn be able to identify how it is a moral wrong. Hence, in this research I will also seek to use dehumanization as a normative tool. This approach will incorporate components of Mikkola's (2016) work, but will extend to include other philosophical works on the topic.

These philosophical works all offer different definitions of dehumanization, utilising them in differing arguments. While initially this project began with the intention of selecting one of these definitions, I found that each only partially encompassed the phenomenon of dehumanization. This is to be expected, given the broad and varied use of the term in the literature. Thus, the inclusion of these other works will be aimed at creating a working definition of dehumanization that reflects the current philosophical discussion on the matter. Hence, the first step of this research was to form a working definition of dehumanization that would function as a normative concept. In creating this working definition, the second step would then apply this concept to a real world case. For this working definition to be a functional normative concept, it should then be applicable to real ethical dilemmas.

An ethical dilemma that was present for me as an Australian citizen, regarding differential group treatment, was the Australian government's approach to undocumented immigration. Asylum-seekers arriving in without visas in Australia by boat became a point of controversy for the Australian Government around 2001. The cause of the controversy began with the drownings of many of these asylum-seekers, whose vessels were not seaworthy for the journey. Seeking to deter these asylum-seekers from such journey, the then Australian Liberal government implemented the '*Pacific Solution*'. This policy imposed on those asylum-seekers caught attempting the journey to be sent to offshore processing centres in Papua New Guinea and Nauru. How this policy was

meant to deter those asylum-seekers was based on the understanding that their claims would not be processed before other asylum-seekers who were either waiting overseas or arrived in Australia by plane.

This policy was eventually discontinued in 2008 amid a new Australian Labour government and allegations of human rights abuses of asylum-seekers caught under the '*Pacific Solution*' (Phillips, 2012). Following another surge of asylum-seeker arrivals by boat and a rise in deaths at sea in 2012, the Australian government looked for other means of deterrence. Failing to secure other offshore processing options, the Australian Labour government re-established the '*Pacific Solution II*'. This was a point of political and public controversy, with strong feelings supporting both sides of the issue. Those in favour of the reinstatement of this policy felt it necessary in order to prevent further losses of life at sea. Those opposed to the reinstatement were cautious of the same violation of human rights of asylum-seekers re-occurring. At the time of commencing this research, there had been three coronal inquiries citing human rights violations of asylum-seekers occurring in both offshore detention facilities. These government led inquiries into offshore detention centres provided the best insight into policy operations, given the restriction on information. The media and the general Australian public have limited information as to the realities of offshore processing operations, as the Australian government has not only prevented media access to the centres but also prevented staff from disclosing information to the media. However, the coronal inquiries and restriction on offshore processing operations are the basis for much of the academic literature highlighting serious ethical concerns regarding the treatment of asylum-seekers.

To investigate whether the treatment of asylum-seekers is dehumanizing under the '*Pacific Solution II*', I shall examine this policy in two parts. First in Chapter 2, I shall review the '*Pacific Solution II*' policy design and how it relates to the asylum-seekers it pertains to. Chapter 3 will follow an investigation into how the '*Pacific Solution II*' was implemented, considering offshore processing practices and the consequences for asylum-seekers. The policy discussion will not examine the effectiveness of the policy or compare it with alternative policy choices, and will be restricted to the '*Pacific Solution II*' alone. Use of the term asylum-seeker is meant to be inclusive of those who have put forth claims of asylum to the Australian government, not exclusive to those who have been determined to be refugees. The impact of this policy on asylum-seekers will be discussed in relation to my working definition of dehumanization. This working definition and the surrounding literature on dehumanization will be address first in Chapter 1.

Chapter 1 Dehumanization

The definition of dehumanization, a term widely used to indicate a serious moral wrong, is still debated among scholars today (Livingstone Smith, 2014). The aim of this chapter will be to establish a working definition of dehumanization, which can then be applied to detect instances of this phenomenon in real-world events. The chapter is divided into three parts, the first of which will review relevant scholars and their existing theories, comparing their research methodologies and findings. Following this comparison, I shall discuss three key themes of dehumanization that emerge from the literature. These themes consist of negating some element of humanness, moral exclusion and the subsequent violation of certain moral rights. I shall then present my own working definition of dehumanization drawn from these themes and related works of the aforementioned scholars. This working definition shall comprise an explanation of dehumanization as a moral wrong, along with specific instances of dehumanizing action and language. The dehumanizing actions and language to be outlined, will constitute part of a list definition, incorporating the work of various scholars including Marie Mikkola (2016), Catherine Mackinnon (1984), Nick Haslam (2006), Herbert Kelman (1973), Sophie Oliver (2011) and David Livingstone Smith (2018, 2016).

1.1 Literature review

In this review I shall discuss the aforementioned scholars in three key points of similarity and contrast, with particular focus on the philosophical insights offered by each of them. First I shall look at the various real-world examples and types of moral wrongs these authors associate with dehumanization. Secondly, while the majority of these scholars are philosophers, they draw their understanding of dehumanization from either legal or psychological discourses. These discourses view dehumanization as a moral wrong, but each endorse a different rationale for why it is so. The final section will consider the philosophical definitions of dehumanization available, reflecting how each author forms and utilises their definition in their respective works. Throughout this review, I shall note the relevant similarities between my research approach and the scholars discussed.

1.1.1 *What are examples of dehumanization?*

Throughout the literature, dehumanization is always associated with other actions or outcomes that are considered *prima facie* morally wrong by. These moral wrongs are described in various contexts, with authors taking both broad and narrow perspectives. A broad approach to defining dehumanization looks at historical instances of systematic ethnic violence, such as the Rwandan genocide and the Nazi concentration camps. Those examples are discussed by Livingstone Smith (2016), Oliver (2011), Haslam (2006) and Kelman (1973). These instances of systematic violence include moral wrongs such as murder, torture and rape (Livingstone Smith, 2016; Oliver, 2011; Kelman, 1973). Other actions which are claimed by the authors to constitute serious moral wrongs include imprisonment, forced labour and displacement (Livingstone Smith, 2016; Oliver, 2011; Kelman, 1973). Haslam (2006) also identifies a common trend of language and related ideologies targeted at the victims in each of these examples of ethnic violence. Another instance of systematic violence is examined by Mikkola (2016), who focuses on a case study of martial rape in the Democratic Republic of Congo. Specifically in the year

2007, where women and children in the Democratic Republic of Congo were systematically targeted by soldiers and brutally raped (Gettleman, 2007). Mikkola (2016) uses this example to discuss the harms that occur beyond the wrong of rape itself, and describes additional problems the victims face consequential to such an action. Apart from these victims suffering from long-term health issues, they suffer socially and economically, with such violence impacting their general welfare in the long term (Mikkola, 2016). Similar to Mikkola (2016), MacKinnon's (1984) examples also focus predominately on women albeit, on pornography not martial rape. MacKinnon (1984) argues that the pornographic narrative reduces women to sex objects, which in turn makes them vulnerable to being enacted upon immorally. In addition to the moral wrongs cited by previous authors, MacKinnon (1984) includes the wrongs of kidnapping and forced bestiality. From these examples, we begin to gain important insight into the way dehumanization is used in relation to these moral wrongs in the relevant literature.

1.1.2 *How is dehumanization used in the literature?*

As Livingstone Smith (2014) has argued, the concept of dehumanization has been largely neglected in the contemporary academic philosophical discourse. Through my reading, I have found dehumanization is predominately discussed in either psychological or legal literature. Haslam (2006) and Kelman (1973) are themselves social psychologists, but have been cited in the works of several philosophers including Livingstone Smith (2016, 2014) and Oliver (2011). The psychological discourse uses the term 'dehumanization' to refer to the cognitive process in which a fellow human being is no longer recognised as such (Haslam, 2006; Kelman, 1973). Kelman (1973) discusses dehumanization as a means to enable moral exclusion of certain individuals or groups. According to Kelman, Dehumanization occurs when an individual is no longer understood as an end in herself or as belonging to a community. Haslam (2006) differs from Kelman (1973), stating dehumanization involves the removal of humanness entirely. Humanness as Haslam (2006) describes it, is something that is unique to humans, that which is both central to humans and separates them from other beings. Livingstone Smith (2014) rejects Haslam's account of dehumanization, considering him to have a flawed understanding of essence, arguing that Haslam mistakenly takes phenotypical traits to be constitutive of human essence. While Livingstone Smith's (2018, 2016) own definition of dehumanization is not limited to psychological theories, he does implement two key theories in his own definition. The first is psychological essentialism, which according to Livingstone Smith (2016) is how we categorise objects into groups according to the internal qualities we attribute to them. These internal qualities are used to denote group membership and are labelled 'essences' by Livingstone Smith. The other psychological theory Livingstone Smith (2016) takes into account is the evolutionary argument that humans are hyper-social beings with a disposition for recognising human shaped structures. Oliver (2011) discusses various psychological theories, including those of Haslam (2006) and Kelman (1973), but does not use them as key components of her own definition. For Oliver (2011), these psychological theories are used as a partial explanation for what she understands to be the manner in which these dehumanizing instances occur. This is the predominate concern of psychology in relation to dehumanization, explaining how it occurs in relation to certain events. The legal discourse, on the other hand, is more concerned with the events themselves.

When discussing dehumanization in relation to rights, it is typically concerned with outcomes that would be labelled as crimes against humanity (Corrias, 2016). In this respect, the focus of dehumanization becomes what human rights or universal claims are in turn thwarted by this process. Mikkola (2016) and MacKinnon (1984) take a feminist perspective in their respective works, which is predominately concerned with the equality of rights. As such, both scholars discuss dehumanization in relation to the violation of certain rights or instances of moral wrongs (Mikkola, 2016; MacKinnon, 1984). When outlining her definition of dehumanization, Mikkola (2016) argues for a particular definition of rape using her case study as guide. This argument from a given moral wrong is used in turn to outline her chosen definition of dehumanization, since Mikkola's (2016) claim that rape is dehumanizing. In this argument, Mikkola (2016) rejects the understanding that perpetrators of rape view their victims as instruments or objects. Women are culturally depicted as representative of their communities and integral to community health, remarks Mikkola (2016), stating that soldiers attack with this multidimensional understanding of their victims. As previously mentioned, Mikkola (2016) was concerned with the ongoing rights violations consequential to the initial wrong committed. Thus while Mikkola (2016) had the most narrow focus in regards to examples, her use of violated rights is the most extensive in the given literature. MacKinnon (1984) used the existence of certain moral wrongs within pornography as proof of dehumanization in a manner similar to the examples given by other scholars, albeit those authors applied dehumanization to a wider population given their broader scope.

1.1.3 *What are the philosophical definitions of dehumanization?*

Given the fact that authors Mikkola (2016) and MacKinnon (1984) are working within a feminist framework, they use dehumanization as part of wider feminist debates. However, it is important to note that both Mikkola and MacKinnon have radically different approaches to both feminism and dehumanization. MacKinnon (1984) understands dehumanization as treating another as a means to an end, in which the individual's rights to autonomy and abstaining from pain are violated. Using examples from the pornography industry to demonstrate such violations of these rights, she uses dehumanization as part of a broader argument. This broader argument is MacKinnon's key work, an argument against the legalization of pornography in the USA. According to Linda LeMoncheck (1992), however MacKinnon's broader argument is undermined by her failure to account for those women who freely choose to be part of the pornographic industry. In this respect, we can say that Mikkola (2016) utilises her definition of dehumanization in her research much better than MacKinnon (1984). Mikkola creates her definition of dehumanization as a normative tool, to be a more inclusive solution to issues of social injustice and of a means of surpassing an ongoing feminist debate. Dehumanization for Mikkola (2016) is a moral injury that occurs with the illegitimate setback of our human interests. These human interests are illegitimately set back if the reasons used for such a setback are either based on false/irrational belief or can cause foreseeable harms (Mikkola, 2016). In conjunction with these illegitimate setbacks there is moral injury, which Mikkola (2016) describes as failure to recognise or acknowledge the human value of the victim. Mikkola (2016) defines a *externalist* human, in the everyday biological sense, members of the group *homo sapiens*. For Mikkola (2016), the *internalist* human was flawed in being value based and risked being too narrow to encapsulate all humans.

This particular definition of human allows Mikkola (2016) theoretical conciseness in her work, as she uses a case study of social injustice to identify the illegitimate setback of interests. Through the case study of marital rape in the Democratic Republic of Congo, Mikkola (2016) outlines what human interests can be illegitimately setback. Mikkola (2016) emphasises that such interests are meant to encapsulate primary welfare of the individual, not extended beyond to encompass Aristotelian flourishing. Similar to Mikkola (2016), Oliver (2011) also explores the primal necessity of human functioning in her works.

As both Livingstone Smith (2018) and Oliver (2011) predominately draw on psychological theory, the focus of their research falls into understanding the phenomenon of dehumanization itself. Oliver (2011) differs from Livingstone Smith (2018), as her work draws upon her previous research into the embodied human experience. Oliver (2011) explores the phenomena of dehumanization as holistically as possible, while criticizing the literature's use of more abstract concepts, such as human dignity, for neglecting the embodied experience. Utilising the psychological theories of Haslam (2006) and Kelman (1973), Oliver examines the perpetrator of dehumanizing acts, reflecting on moral exclusion and discriminatory language. From there Oliver explores historical testimonies from victims of dehumanization and discusses them in relation to the work of Elaine Scarry. Scarry's (1985) research explored how victims of torture could become alienated from their own bodies due to the body existing as a point of suffering. This reflected for Oliver that without control over our corporal bodies, we cannot direct our embodied experiences, thus becoming disconnected from it. This bodily alienation for the victim leads to loss in bodily capacities the victim held prior, Oliver argues, by using a historical example where slaves lost the capacity for speech. In turn the victim presents as being akin to the perpetrators descriptions of less human, meaning it is down to the bystander to break the dehumanizing cycle. Unlike Oliver, Livingstone Smith (2018, 2016) tends to focus exclusively on the perpetrator, similar to MacKinnon (1984).

Livingstone Smith (2018, 2016) has done extensive research into dehumanization, with his definition expanding in his more recent works. Dehumanization, as he defines, is the categorising of another person as both human and subhuman. Livingstone Smith's definition is based off the previously mentioned psychological theories of evolution and essentialism as well as a notion of moral hierarchy. For Livingstone Smith, this moral hierarchy ascribes certain essences a moral standing, placing human essence at the top of the hierarchical order. While this would reflect how non-humans are not prescribed the same moral consideration, he argues that we cannot easily categorise a human as non-human. Drawing upon the psychological evolutionary argument, Livingstone surmises that we are too attuned to recognise human beings from other species. Subhuman, then becomes a category which acknowledges human essence in part, but is not considered deserving of human moral standing. This lack of moral standing comes from the belief that the subhuman may look human, but lacks the capacity to carry out moral action (Livingstone Smith, 2018, 2016). However, Livingstone Smith noted a paradox with dehumanizing acts where the perpetrator described the victims as subhuman but attacked them in a way that acknowledged their humanity. Humiliation was an example he used, arguing that such action is exclusive to humans (Livingstone Smith 2018, 2016). This action would not be appropriate for a subhuman, which are considered to be on the same level as non-human animals (Livingstone Smith 2018, 2016). The categorisation of

these two differing essences into a single entity causes the perpetrator to experience cognitive dissonance (Livingstone Smith 2018, 2016). Cognitive dissonance, as he describes it, causes the perpetrator to feel disgust, fear or unease towards the victim. In this respect, his definition of dehumanization is more akin to attitude of moral exclusion.

1.2 Key themes of dehumanization

1.2.1 Denial of humanity

A predominate theme expressed throughout the literature is the claim that dehumanization amounts to a perceived denial of shared human membership. This human membership is conceived differently in each definition, but some scholars describe its denial as category substitution. Category substitution is when the victim's human membership is substituted for an alternative group membership. Scholars MacKinnon (1984) and Haslam (2006) are very explicit with this exchange in their definitions, while Livingstone Smith (2018, 2016) only partially describes this in his. In MacKinnon's definition, the dehumanization comes from using another person as a means as to an end. The overall argument Mackinnon (1984) presented was that the pornography industry treated women as sex objects for its own ends. From there, other scholars including Haslam (2006) and Livingstone Smith (2012), tend to follow MacKinnon in taking dehumanization synonymous with objectification. In this respect, according to MacKinnon, the categorical substitution that occurs is that the women's human membership is substituted for that of the category of object. Haslam' (2006) 'mechanised dehumanization' is similar to MacKinnon's (1984) objectification, with the category of machine used to substitute the category of human membership. However, Haslam also discusses animalistic dehumanization which substitutes human membership for that of an animal. An important consideration with MacKinnon (1984) and Haslam (2006), is neither explicitly suggests that the victim's human membership is permanently lost to this substitution. Rather for both authors, this category substitution of the victim takes place in the mind of the dehumanizing perpetrator. Livingstone Smith also focuses on the dehumanizing mindset, arguing that human membership is partially substituted by an additional category. This additional category is subhuman, by which he means something that resembles human in appearance but is not actually human. In this respect, Livingstone Smith's definition still involves a denial of humanity. However, the dismissal of human membership is not restricted to category substitution alone.

Authors Mikkola (2016) and Kelman (1973) do not employ the concept of category substitution, rather they suggest that the concept of dehumanization implies that human membership is simply negated entirely. While Kelman and Mikkola's definitions both describe the denial of human membership, they each frame it differently. Mikkola describes dehumanization as occurring through a process of moral injury, which she understands as a failure to acknowledge or recognise human value. Although she never defines 'human value' itself, we can discern its meaning from her definition of a human. As previously mentioned, Mikkola uses an *externalist* everyday definition of a humans as featherless bipeds that belong to the species homo-sapiens and "who typically develop certain cognitive capacities given the appropriate background environmental conditions"

(Mikkola, 2016 P19). Mikkola (2016) argues against a *internalist* definition of human, but acknowledges the *externalist* approach can be problematic with biological boundaries not always precise. From this I understand that for Mikkola, 'human value' is the acknowledgement of her definition of humans and their subsequent interests. Mikkola's perspective on dehumanization is unique from the other scholars whom, apart from Oliver (2011), focus from perpetrator's view point. While Mikkola (2016) does not exclude the dehumanizing mindset in her definition, her research is more grounded on the victim's experiences. Similar to Livingstone Smith (2018, 2016), Mikkola's (2016) definition suggest that human membership itself is fixed. So for her definition of dehumanization, human membership is not so much substituted but ignored. This contrasts greatly with Kelman (1973), who explicitly states that dehumanization involves the removal of both identity and community. However, Kelman's definition of dehumanization does not explicitly mention the removal of human membership. Although when the removal of community is incorporated, as it is for Kelman, I would argue his definition could include this negation of human membership. For the community described by Kelman is a human one, with the category of membership to said community inclusive only to humans. Therefore, when an individual has both their identity and community removed, this would involve the removal of human membership. While I doubt, similar to Livingstone Smith (2018, 2016) and Mikkola (2016) that human membership can be removed, the removal would still be considered as a form of denying acknowledgement of human membership. Having established this pattern in which human membership is either denied or substituted, it is now important to consider to what purpose such action serves.

1.2.2 Moral exclusion

The function of dehumanization, as stated by Kelman (1973), Haslam (2006) and Livingstone Smith (2018, 2016), is moral exclusion. This moral exclusion is facilitated by the denial of human membership, a predominate component in the definition of dehumanization itself. The literature expresses this phenomenon in alternate ways, but with morality often being described in terms of group and nongroup members, with only group members being eligible for moral consideration by the group. Such an interpretation of morality can be linked to much of the literature being grounded in social psychology. Scholars Haslam (2006), Livingstone Smith (2018, 2016) and Oliver (2011) all refer to social psychologist Herbert Kelman's explanation of moral exclusion from his influential 1973 article *Violence without moral restraint: Reflections on the dehumanization of victims and victimizers*. Here Kelman argues that removing an individual or group from the community, means they no longer need to be held with the same moral considerations expected for other community members. As historical examples, Kelman draws upon the genocides committed by the US army on the rural South Vietnamese population and by the Nazis on European Jews. In both cases, the affected groups were viewed as outsiders to the community of the acting party (Kelman, 1973). However, this argument assumes a single standard of morality which is acknowledged and practiced by each member of the community. While this assumption is unrealistic, such an argument could still function if the same moral considerations were held by the majority. This first assumption is upheld by Livingstone Smith (2018, 2016), stating that we are dispositioned to view other humans on the same moral terms. Another assumption by Livingstone Smith (2018, 2016) on moral psychology is that humans are placed on top of the moral hierarchy. If we maintain that an individual or group is isolated

from a human community, said group or individual no longer possess the same moral considerations thought to be due to humans. Livingstone Smith (2018, 2016) stipulates that such an isolation is necessary for perpetrators to justify their actions, which they uphold as morally impermissible in their own community. In turn, as removal of human identity enables moral exclusion, moral exclusion enables violations of certain moral rights.

1.2.3 Violation of moral rights

Authors Mikkola (2016), MacKinnon (1984) and Oliver (2011) all discuss the violation of certain moral rights that occur through dehumanization. First, let us consider Mikkola, whose definition of dehumanization provides the most extensive list of potential violations. These violations encapsulated by human interests, which are the following...

- The continuance of one's life, and in one's own physical health and vigour.
- The absence of absorbing pain and suffering, being non-stigmatized and excluded because of one's atypical body or bodily functioning, being free from debilitating and painful bodily conditions.
- Minimal intellectual acuity, emotional stability, the absence of groundless anxieties and resentments.
- The capacity to engage in meaningful social intercourses, to enjoy and maintain friendships.
- At least minimal income, financial security, or means of subsistence.
- A tolerable social and physical environment, certain amount of freedom from interference and coercion.¹

Violation of these interests is only considered dehumanizing if the violation is both an illegitimate setback and moral injury (Mikkola, 2016). While each of these human interests could translate as both a moral requirement and a human right, they are also indicate the environmental conditions humans require. As previously noted, for Mikkola human interests are predominately identified with individual welfare concerns, including how said individual functions in society. Based on the interests above, I see these concerns encapsulate physical, psychological and social wellbeing, along with a certain level of autonomy. Understanding each of these aspects of wellbeing to be interdependent, I believe neglect of one would lead to decline in the others. In this respect it appears that Mikkola is discussing human flourishing, albeit not to the extent of Aristotelian flourishing². To this extent I believe Mikkola is referring to conditions that are tolerable for the individual or group. Where conditions continue to be intolerable, this could potentially lead to undermining the groups or individuals' own existence. Therefore, Mikkola is arguing for basic human flourishing, where the individual has the right to a tolerable existence. Again, I reassert that while Mikkola does touch upon autonomy, it is not to the extent where a moral right can be inferred. Once more I return to the definition of dehumanization by MacKinnon (1984), who covers autonomy more extensively.

While MacKinnon (1984) does address the moral right of autonomy, it is done in the context of a broader argument in relation to the body. Specifically, when she discusses autonomy, it refers to the rights of the

¹ See Mikkola (2016) p. 168, this list is reproduced verbatim from Chapter 6 of *The Wrong of Injustice: Dehumanization and its Role in Feminist Philosophy*.

² See Nussbaum (1995) for account of Aristotelian flourishing.

individual over their own body. Rights over the individual's body include choosing to negate certain harms to the body itself. MacKinnon implies this point through her other stated moral right that of abstaining from pain. As previously stated, I believe Mikkola (2016) covers the right to abstain from pain in greater detail than MacKinnon (1984). However, I would also argue that the right to abstain from pain is a secondary moral right to that of autonomy over the body. This point is reflected in Oliver's (2011) work on alienation of the embodied human experience. As previously mentioned, Oliver considers the complete loss of autonomy over the human body as detrimental to the embodied human experience. For Oliver, alienation of embodied experience leads to loss in existing human capacities, which the victim possessed prior to the alienation. Oliver (2011) and Scarry (1985) describe some of those prior existing capacities that can be lost, include abstaining from pain and forming coherent speech. While neither of these capacities are necessary for survival, they communicate certain concerns of the affected individual's wellbeing. If an individual's wellbeing is neglected to a certain extent, it can then interfere with basic human flourishing as discussed by Mikkola (2016). However, this phenomenon described by Oliver (2011) is already dependent on violating the individual's moral right to autonomy over body. Hence, alienation of the embodied human experience incurs with the violation of an established moral right and potential impacting on further moral rights. Therefore, while Oliver (2011) does not posit a moral right unique from those described by MacKinnon (1984) and Mikkola (2016), her work is significant. The significance of Oliver's works stems from demonstrating how the violation of autonomy can be expressed as a harm, which can then potentially impact survival. Throughout the literature, it's apparent that dehumanization is violation of the moral rights to autonomy and human flourishing.

1.3 A working definition

When considering these themes of dehumanization through an ethics perspective alone, dehumanization causes a moral wrong in two respects. Firstly, in negating human membership, the perpetrator of dehumanization commits a categorical wrong. This is because I understand human membership as part of the fixed state of being human. Thus, no matter how the perpetrator fails to acknowledge the victim's human membership, the victim still retains their human membership. Thus, I disagree with scholars MacKinnon (1984), Livingstone Smith (2018, 2016) and Kelman (1973) who imply this failure is somehow transformative to the victim in the eyes of the perpetrator. The perpetrator can understand the victim as subhuman, but how others view us does not change our being human. However, I do agree with Livingstone Smith (2018, 2019) and Kelman (1973), who argue that such a failure is used to morally exclude the victim. This moral exclusion is used by the perpetrator as an attempt to make violation of certain moral rights appear permissible. These moral rights are valued, according to Kelman (1973), by the perpetrator themselves and the perpetrator's community. Given that the perpetrator's exclusion relies on ignoring human membership, it stands that the moral rights violated are inherent to human membership as well. So far, the preceding literature has described these moral rights as interlinked with dehumanization as basic human flourishing and autonomy. The moral rights of autonomy and self-preservation are broad, assisting the individual or group's protection against many wrongs and harms. It is violation of these moral rights that equates to dehumanization as being a moral wrong in the second respect. The way these two wrongs interact reflects how unique dehumanization is among other distinctive wrongs, such as torture, murder

or corruption. Dehumanization attempts to hide its nature as wrong, by stating the affected individual or group is not eligible for certain moral rights, hence no violation occurs. This cycle of moral exclusion does not always commence with a clear denial of the victim's human identity to be followed by the violation of their moral rights. Oliver (2011) states that dehumanization may begin with violation of certain moral rights, which in effect are used to negate the human membership of the victims. From here, I argue that dehumanization is not always deliberate or explicit, with the potential to emerge as implicit and consequential. However dehumanization may manifest, it always entails negating human membership and the moral rights of either basic human flourishing or autonomy.

To identify the aforementioned elements of dehumanization and subsequently specific instances of dehumanization, I bring forth my list definition. This working list definition, as previously noted, is comprised from the authors previously reviewed throughout this chapter. The list will outline three instances of dehumanizing action and two instances of dehumanizing language. These instances will be broadly descriptive, in order to enable identification of both implicit and explicit dehumanization. However, it is important to identify a prior condition that must be met alongside these outlined instances, which I recognise as the failure to universalise. To universalise is to hold certain moral rights as intrinsic entitlements to human membership. In order to form and exercise accountable conduct aligned with any moral rights requires a moral agent. Thus, the perpetrator of dehumanizing action needs to understand such instances as being morally impermissible if applied to themselves as human beings. If this condition is not met, then while such instances would still be wrong, they would not be classed as dehumanizing. This is because dehumanization works on the basis of moral exclusion from the wider human community by other humans. If the perpetrator does not view themselves as human or their actions as morally impermissible in the human community, then moral exclusion is not required. Moral exclusion must occur for the perpetrator to justify committing these instances, which they understand as wrong. To consider these instances further, I shall proceed to outline and discuss each of the following in relation to the respective author who inspired each instance.

(1) The deliberate undermining or neglect of basic human survival interests/needs required to maintain basic human flourishing. (Mikkola, 2016)

As previously reflected in my review of Mikkola's (2016) definition of dehumanization, I consider it to be predominately concerned with basic human flourishing. Basic human flourishing, in this instance, is equated with a right to tolerable living conditions required for any human being. This comes from Mikkola's extensive list of human interests, which if violated in an illegitimate manner would be asserted a dehumanizing. While not dismissing the importance that Mikkola's understanding of illegitimacy plays in dehumanization, I believe it is not essential in its identification. The false belief and foreseeable harms she describes reflect two different means of failing to universalise. For example, foreseeable harms can contribute to the moral impermissibility of the leading action and are therefore encapsulated in failure to universalise. While false belief can also contribute in this manner, it may also be indicative of the categorical wrong that occurs with the failure to recognise human membership. Not recognising human membership can be a consequence of the failure to universalise. This is

why I refrained from including Mikkola's concept of 'moral injury' from my definition, as it can also be substituted by not recognising human membership. Given that failure in universalising covers all of these elements, I see little benefit in including it as a specific part of the working definition. Hence, human interest and basic human flourishing were the main components of Mikkola's definition which was drawn upon to stipulate this dehumanization action.

(2) Removal of the individual's or group's autonomy, that does not benefit said individual or group's interests in anyway. (MacKinnon, 1984)

Key components of MacKinnon's definition include the right to autonomy and not being treated as a means to an end. To address not being treated as a means to an end, I reflect that such action must acknowledge the needs of the individual or group to a degree. Thus, for such a removal of autonomy not to be dehumanizing, the individual or group must have some form of benefit from such an outcome. Furthermore, the concept of treating someone as a means to an end implies that the perpetrator has some particular end in mind which she expects to accomplish through her treatment of the individual or group. Trying to establish the gain of the perpetrator greatly limits what actions or events could be considered as dehumanizing. However, in treating someone as a means to an end and denial of autonomy alone is not sufficient in reflecting what I would identify as morally impermissible. While MacKinnon argues for a rational subject to possess complete autonomy, I believe that not all humans are always rational. Given that this action needs to be compatible with failure to universalise, it must be inclusive to the entire human community. I can understand MacKinnon's limitation of the rational subject alone, because complete autonomy can be problematic for the non-rational subject. A non-rational human, such as a child or a mentally ill individual, may not be capable of acting autonomously. While such subjects are not considered moral agents given that they are not yet rational beings, others may simply lack the information to make a rational decision. In such circumstances, we understand restrictions on such groups of 'moral patients' by competent moral agents as morally permissible. Yet the permissibility of these restrictions is always based on meeting the restricted party's interests in some way. While this action extends further on MacKinnon's approach to autonomy, it excludes the right to abstain from pain. This exclusion is also comes from extending beyond outside MacKinnon's work to consider differing circumstances. Other interests, such as medical or survival interests may be dependent on the subject feeling pain which then takes priority over the right to abstain from it. Thus, the significance of autonomy is what I draw upon from MacKinnon's (1984) work and incorporate into this definition.

(3) Anything that results in the individual as holding their embodied experience as either alienated or antagonist towards the self. (Oliver, 2011)

Since much of Oliver's work identifies moral exclusion as a key component of dehumanization, it is already compatible with the failure to universalise. Therefore, there was little need for adjustment when outlining this action from Oliver's definition of dehumanization. Yet, Oliver provides more of a consequential outcome of dehumanization than a definition itself. This definition can still be utilised however, in providing additional means of identifying applied instances in dehumanization. While Oliver described complete loss of autonomy

over the body as being the cause of such an outcome, I did not include this. Such exclusion was functional given the coverage of autonomy offered by the second dehumanizing action outlined above. In this respect, the occurrence in which an individual's embodied human experience is alienated would indicate the presence of the second dehumanizing action. The consequences Oliver describes of this alienation include the loss of certain capacities which the individual possessed prior to the loss of bodily autonomy. Thus, it is important to note that natural bodily functions, such as age would not be one of these capacities. Such losses of prior bodily competencies would negatively impact the individual's ability to maintain a certain level of wellbeing. Hence, this dehumanizing outcome could lead to the occurrence of the first dehumanizing action, where basic human flourishing is undermined.

(4) Dehumanizing language

Language classified as dehumanizing would constitute the following descriptions or implications of an individual or group as either *animalistic or mechanised terminology, reducing them to either animal or inanimate object* (Haslam, 2006), or as *inherently immoral beings, who are incapable of upholding the community's moral code*. (Livingstone Smith, 2018; Kelman, 1973) Similar to dehumanizing action, language is subject to meeting failure to universalise before it can be classified as dehumanizing. While identification of dehumanizing language is important, its significance carries only in how pragmatic it is in indicating dehumanizing action. Both descriptors of dehumanizing language above work to enable moral exclusion, the key component in the failure to universalise. The first descriptor provided by Haslam (2006) is designed to designate the victim to another community by ascribing non-human membership to them. This descriptor is the most predominately featured in the given examples of dehumanization and is best identified alongside explicit dehumanization. However, this working definition intends to indicate implicit examples of dehumanization, thus the second descriptor. Since moral exclusion is not dependant on substituting human membership, Haslam's descriptor does not encapsulate the phenomenon entirely. Therefore, reflecting on Kelman's (1973) definition of moral exclusion and Livingstone Smith's (2018) point on language, I constructed another dehumanizing descriptor. The second descriptor of dehumanizing language is broad, but is designed to extend beyond the first descriptor. I have included this first descriptor of language given its prominence in the literature and because it can be used as a means of moral exclusion. The first descriptor also implies the second descriptor, which is less commonly stated in examples. This lower occurrence could be linked to the perpetrator needing to present with an extended rationale beyond substitution of human membership. I will seek to identify both the first and the second descriptor or the second descriptor alone, alongside a dehumanizing action.

Chapter 2 How does policy architecture dehumanize asylum-seekers?

In this chapter the question of dehumanization is posed in relation to the '*Pacific Solution II*' policies regarding its design and the surrounding rhetoric. Subsequently divided to cover both issues, Part 1 of this chapter addresses broad policy design. These architectural points of policy will be discussed in relation to their initial impact on asylum-seekers and in turn if they dehumanize them. The main policies examined in this chapter are offshore detention, denied resettlement in Australia and '*Operation Sovereign Borders*'. Consequences of these policies include detention and processing on Manus and Nauru islands and returns at sea. The intention of these policies and their consequences is the limitation of freedom of movement. This restriction of movement does directly impact the autonomy of those subject to it. Denial of autonomy can be dehumanizing under certain circumstances, which I will discuss in relation to this restriction. Following this discussion, Part 2 examines whether dehumanizing language is incited from the rhetoric surrounding these policies. This consists in a brief analysis of the prominent terms used in relation to asylum-seekers as these policies were both created and implemented. The terms most consistently used both in and outside the Australian government to describe asylum-seekers at the time are '*illegal maritime arrival*', '*queue jumper*' and '*boat people*' (Rowe and O'Brien, 2014). Each of these terms will be discussed in relation to the descriptive instances of dehumanizing language as provided in Chapter 1. Prior to identifying any elements of dehumanization, is a brief description of what the policy entails for asylum-seekers.

2.1 The '*Pacific Solution II*' policy and what it means for asylum-seekers caught under it.

2.1.1 Offshore detention

A main policy of the '*Pacific Solution II*' establishes offshore detention centres where asylum-seekers arriving by boat to Australia in an irregular manner, that is attempting to bypass border controls, are transferred and held on either Manus or Nauru Island. These island nations have a bilateral agreement with Australia to contain and process these asylum-seekers (McAdam and Chong, 2019). Nauru is a small republic and the most densely populated area in the Pacific with a rough population of 10,000 (Opeskin and Ghezelbash, 2016). This small island nation is habitable only on the coast, as overmining has left inland completely ecologically degraded, and is dependent on foreign imports for basic necessities (Gleeson 2016). As Gleeson (2016) notes, detention facilities at Nauru are situated inland on the abandoned mining sites, where there is little natural protection from the elements. In contrast this Manus is the least populated province of the larger island nation of Papua New Guinea (PNG) and is situated 800 kilometres north of the capital (Gleeson, 2016). The detention centre at Manus resides on a naval base, 30 minutes from the airport and even further from Manus's capital city (Gleeson, 2016). These detention facilities held asylum-seekers indefinitely from 2012 while their claims were processed, with freedom of movement outside these facilities granted in 2014 for Nauru and 2015 for Manus (McAdam and Chong, 2019; Gleeson, 2016). Aside from holding asylum-seekers, both PNG and Nauru process their claims with differing approaches to the refugee convention (McAdam and Chong, 2019). Nauru accepts the convention entirely, but does have limited capacity in processing asylum claims, the majority exceeding 4 years according

to McAdam and Chong (2019). PNG on the other hand, is selective on what components of the convention it is ready to accept, refusing to accept all the rights the convention ensures for asylum-seekers (McAdam and Chong, 2019). Rights not extended to refugees in PNG include access to employment, housing, education, freedom of movement and facilitating assimilation (McAdam and Chong, 2019). How these island nations recognise and frame refugee status is critical given the following policy's impact on resettlement.

2.1.2 *No settlement in Australia*

In 2013 a revision was added to the '*Pacific Solution II*' policy, ensuring that all asylum-seekers arriving by boat to Australia would never be permitted settlement in Australia (McAdam and Chong, 2019). The Australian government stated this left these asylum-seekers with either resettlement in Nauru or PNG or another country (McAdam and Chong, 2019). Nauru did not agree to permanently settle asylum-seekers, but rather operated as a temporary placement until a third country accepted them (Opeskin and Ghezelbash, 2016). PNG has agreed to resettle asylum-seekers, but as mentioned before by McAdam and Chong (2019) it has its own definition of refugee. This definition allows exclusions of certain asylum-seekers, who do not demonstrate good character or standing according to the PNG government (McAdam and Chong, 2019). As Laughland (2014) reports, homosexuality is considered illegal by PNG reflecting that homosexual asylum-seekers risk persecution under the PNG law. Other nations are available to asylum-seekers within this cohort through the Australian government, who has made deals with Cambodia and the United States (McAdam and Chong, 2019). While New Zealand has offered to settle asylum-seekers, in 2014 the Australian government declined given the free movement arrangement between the two countries (McAdam and Chong, 2019). Asylum-seekers subject to offshore processing prior to July 2013 have been permitted in Australia after undergoing a '*fast track*' processing system that restricts processing time and removes the appeal mechanism for asylum claims (Andrew & Renata Kaldor Centre for International Refugee Law, 2019b). While I have discussed those asylum-seekers subject to offshore processing, another policy affects a different group of asylum-seekers traveling to Australia by boat.

2.1.3 *Operation Sovereign Borders*

'*Operation Sovereign Borders*' is the official name of the practice of turning back boats suspected of holding asylum-seekers if it is deemed safe to do so (McAdam and Chong, 2019). McAdam and Chong (2019) state this turning back is done by the Australian Navy, returning the vessel to the territorial edge of Indonesian territorial waters. If it is not considered safe to either tow or drive the vessel back, then they are taken on a Navy or customs vessel before being placed in orange lifeboats (McAdams and Chong, 2019). Prior to being left at the return point, the vessel is provided with enough food, water and fuel to return to Indonesia (McAdam and Chong, 2019). Written documentation is also provided informing the occupants of the vessel that the vessel itself is unsafe to travel to Australia, McAdam and Chong (2019). Note, citing media reports. However, Grewcock (2013) notes that Indonesia does not agree with the refugee convention and classifies asylum-seekers as illegal immigrants. Asylum-seekers in Indonesia can be subject to detention and are not permitted to apply for citizenship, placing certain restrictions for community involvement (Fleay, Cokley, Dodd, Briskman and Schwartz,

2016; Grewcock, 2013). This is not accounted for by the policy of sovereign borders, which has the sole aim of preventing asylum-seekers from arriving in Australia by boat in the first place.

2.1.4 *How these policies restrict Asylum-seeker autonomy?*

When reflecting on the previous policies discussed, all limit asylum-seekers freedom of movement. This restriction is done by both forced displacement and imprisonment. While *'Operation Sovereign Borders'* is clear displacement at sea, offshore processing entails both restrictions on movement and imprisonment. Closed detention on Nauru and Manus did stop occurring, albeit in different years and with different conditions (Gleeson, 2016). However, as Gleeson (2016) argues, asylum-seekers were still prevented from leaving both by law and geological barriers. Asylum-seekers may have experienced greater freedom of movement on Nauru compared with PNG, but Nauru is still incredibly isolated with no feasible means of leaving the island independently (Gleeson, 2016). Another means of impinging on the freedom of movement comes from the delay in processing of asylum-seekers claims, as briefly mentioned prior. As Billings (2013) notes, the offshore processing of asylum-seeker's claims is considerably delayed compared to those processed onshore. While waiting for their asylum claim to be processed, asylum-seekers remain in offshore processing (McAdam and Chong, 2019). Restriction on freedom of movement does have consequential limitations on other liberties, including occupation, association and respect for values (Hidalgo, 2018). In *'Operation Sovereign Borders'* the asylum-seekers returned to Indonesia are not permitted to exercise freedom of occupation (Fleay et al., 2016). Another policy that impedes on these consequential freedoms is detention, which impacts both association and occupation. Occupation is limited through the denial of employment to detainees, which McAdam and Chong (2019) state is standard practice in Australian detention. Another standard practice with a closed detention setting is the restriction to freedom of association. Even when closed detention ended, PNG still maintained restrictions on asylum-seekers' freedom of movement and occupation (McAdam and Chong, 2019). From these examples, we can indicate at least two of the consequential freedoms identified by Hidalgo (2018). For the third consequential freedom, the respect for values, Hidalgo (2018) pairs with the example of religious freedom. Considering this example, I understand the respect for values to extend to other personal choices that the individual sees as essential to their conception of self. Again, as mentioned above by Laughland (2014) the PNG government views homosexuality as criminal act, which means those who commit homosexual acts will be punished by law. If homosexual asylum-seekers are sent to PNG, then these asylum-seekers' freedom to have their values respected would also be impinged. These examples show that, the curtailing of asylum-seeker's freedom of movement broadly effects their overall autonomy in particular ways.

2.1.5 *Are these restrictions dehumanizing to asylum-seekers?*

The treatment of others' autonomy, as noted in Chapter 1, is pivotal in discerning instances of dehumanization. This comes through in the second point of my working list definition: the removal of an individual or group's autonomy that does not benefit their interests to any extent. So, while establishing that these policies do remove the autonomy of asylum-seekers, it needs to be seen whether they account for asylum-seeker's interests. This is a broad question that, due to this paper's restrictions, I will only be able to answer in a limited manner. To

consider what constitutes the interests of asylum-seekers, let us look at the definition of asylum-seeker as stipulated by the United Nations. According to UN convention, an asylum-seeker is someone yet to have their status as a refugee assessed, and everyone has the right to seek asylum (Phillip, 2015). As McAdam and Chong (2019) explain, the UN stipulates asylum-seekers must be treated as refugees until their claim for refugee status is rejected. The UN draws their definition of refugee from a convention, which outlines rights designed to reflect and protect the interests of refugees (McAdam and Chong, 2019). Given that these rights listed by the refugee convention are mostly covered by the human rights convention, I will list the ones specific to refugees:

- the right not to be penalised for illegal entry (article 31)
- the right not to be expelled from a country unless the refugee poses a threat to national security order (article 32)
- the right not to be sent back to a country where a refugee's life or freedom would be threatened on account of at least one of the five convention grounds³

While some rights of the convention are acknowledged once the refugee enters the country, others are not extended until they are lawfully admitted (McAdam and Chong, 2019). Lawful admission of a refugee, as I understand by the literature, is when an asylum-seeker's claim for refugee status is accepted by that country. This highlights a key interest featured within the convention itself, for asylum-seekers to have their claims processed in a timely, transparent and just manner. Therefore, I view asylum-seeker interests as outlined by the refugee convention itself, their predominate interest being the completed processing of their claim.

Having established the key interests of asylum-seekers, now I examine whether these interests are addressed in the policies discussed. First consider the processing of refugee claims, does offshore processing or '*Operation Sovereign Borders*' benefit this interest? In short, regarding '*Operation Sovereign Borders*', the answer is no. Based on the information available about '*Operation Sovereign Borders*', asylum-seekers are not provided the opportunity to even lodge a claim. Certain interests such as immediate survival (i.e. food and water) do appear to be addressed upon interception, according to the information provided by the media (McAdam and Chong, 2019). The publicly endorsed rationale for '*Operation Sovereign Borders*' towards these asylum-seekers is to prevent their death at sea by attempting to reach Australia (McAdam and Chong, 2019). The Australian government had substantial grounds for asserting the dangerous nature of crossing given the large number of drownings with previous asylum-seeker vessels coming from Indonesia (Billing, 2013). This included one incident where 50 asylum-seekers drowned when their boat sank off Christmas Island in December 2010 (Billing 2013). Thus, in part this policy works to benefit the interest of the asylum-seekers on board, by preventing further risk of life. However, in returning the vessels back towards Indonesian waters, it fails to acknowledge why the asylum-seekers felt it in their interest to leave in the first place (Fleay et al., 2016). As previously mentioned, Indonesia does not recognise the refugee convention which subsequently undermines the interests of the asylum-seekers residing there (Fleay et al., 2016; Grewcock, 2013). Overall '*Operation Sovereign Borders*' prevents asylum-seekers from being acknowledged as such, at the benefit of potentially sparing their lives at

³ See McAdam and Chong (2019) p. 16, paraphrasing the UN High Commissioner for Refugees (UNHCR), 1951 Convention Relating to the Status of Refugees and its 1967 Protocol.

sea. Yet if we reflect back to the definition of refugee, their lives are already at risk, with their movement across borders as a means to mitigate this risk (McAdam and Chong, 2019). So does the potential prevention of loss of life at sea sufficiently address the asylum-seeker's overall interest concerning protection of life? I would argue that until the asylum-seeker's claims are properly assessed, the answer to this question remains ambiguous at best. Since this policy does not permit this and violates other interests, it does not offer any substantive benefits to the asylum-seeker's interests. Now let us consider if the policies of offshore processing and denied resettlement do actually offer any benefits to the asylum-seekers who are not turned away at sea.

According to the Australian government, asylum-seekers held in offshore processing will not have any advantage over those waiting in UNHCR camps (Phillip, 2015; Billings, 2013). As Phillip (2015) notes, the number of refugees recognised by the UNHCR is small, with less than 1 percent being resettled each year. The limited resettlement of asylum-seekers of the UNHCR comes from limited placements offered to them (Phillip, 2015). Asylum-seekers who are processed offshore are also denied settlement in Australia, which limits their options even further compared to those in UNHCR camps (McAdam and Chong, 2019). Resettlement or complementary protection are the potential outcomes for asylum-seeker's having their claims of refugee status approved in a country (McAdam and Chong, 2019). Given that these consequential outcomes benefit the asylum-seeker's interests, any undermining of these outcomes cannot be accounted as beneficial. However, as previously mentioned, offshore processing does allow resettlement of asylum-seekers in other nations (McAdman and Chong, 2019; Opeskin and Ghezelbash, 2016). Yet these resettlements are dependent on the processing of claims by asylum-seekers and offshore processing does offer challenges to processing itself (McAdam and Chong, 2019). The remoteness of offshore processing sites on both Nauru and Manus makes access to legal assistance difficult for the majority of asylum-seekers held there, notes McAdam and Chong (2014). Legal assistance can be the deciding factor in whether an asylum-seeker's claim is accepted or declined (McAdam and Chong, 2019; Maylea & Hirsch, 2018). The capacity in processing asylum-seeker's claims is also limited in both Nauru and PNG, with processes not always attuned with particular asylum-seekers (McAdam and Chong, 2019; Laughland, 2014). In this respect, the policies of offshore shore processing and denied resettlement do not promote the interests of the asylum-seekers.

2.1.6 Does the rhetoric around these policies dehumanize asylum-seekers?

Having examined the impact that the policy design has upon asylum-seekers, I now turn to the rhetoric surrounding these policies at the time of their formulation and implementation. The rhetoric examined will be the descriptive terms used to identify the asylum-seekers caught within these policies; *'illegal maritime arrival'*, *'queue jumper'* and *'boat people'*. Each term will be analysed and compared to either one of the two instances of dehumanizing language as outlined in Chapter 1. The first instance reducing the descriptor to that of either animal or machine, the second instance asserting that the descriptor is morally incapable of belonging to the community. Let us consider the latter as we turn to assessing the first term of rhetoric.

The term '*illegal maritime arrivals*' is wording applied within the Pacific Solutions policies themselves, describing those to whom it applies (McAdam and Chong, 2019). This term is deceptive, because it can be applied to asylum-seekers arriving in Australia, who by the convention cannot be penalised for illegal entry (Phillip, 2015). As McAdam and Chong (2019) remark, this term creates the misunderstanding that these people are criminals, having committed a criminal offence. Yet, by Australian law which does recognise the refugee convention, it is not illegal to seek asylum in Australia (Phillip, 2015). When questioned, the government could only elaborate that such terminology was in reference to the means of arrival for those refugees (McAdam and Chong, 2019). So while the phrase '*maritime arrival*' is adept for describing those who arrive to Australia by boat, the word '*illegal*' is not. The application of the term '*illegal*' in turn criminalises what follows it, which in this case means those arriving unauthorised in Australia by boat (McAdam and Chong, 2019). Criminalisation is supported on the grounds that it penalises conduct viewed by the community as a moral wrong (Cornford, 2017). This implies that those asylum-seekers caught under this term have been committing a moral wrong by the Australian community. So does criminalisation imply dehumanization? According to Hing (1998), dehumanization occurs prior to criminalization, making the criminalisation of a particular population more acceptable to the general public. Yet Hing's understanding of dehumanization is more in terms of mental acts than morally impermissible actions. While my research focuses on treating dehumanization as the latter rather than former, I do consider Hing's (1998) point on criminalisation being a consequence for dehumanization valid. As noted in the discussion throughout Part 1, there are components of policies that do dehumanize asylum-seekers. However, being a consequence of dehumanization, criminalisation cannot be equated as a dehumanizing instance in itself. So the term '*illegal*' may criminalise but does not dehumanize. Additional language would be required to reflect this term as resulting from dehumanization, implying the individual or group incapable of following the community's moral code.

In continuing to reflect upon implied moral capacity, I turn to consider another term potentially applicable, the term '*queue jumper*' (McAdam and Chong, 2019). '*Queue jumper*' stems from the '*no advantage*' part of the offshore processing policy (Billings, 2013). The '*no advantage*' point assumes that asylum-seeker's claims in UNHCR camps are taken and processed chronologically in a single order, that there exists a queue of claims (Phillips, 2015; Billings, 2013). However, the UNHCR does not process asylum-seeker claims according to order of arrival but on those with the greatest need of placement (Phillip, 2015). McAdam and Chong (2019) stipulate that further confusion around the term '*queue jumper*' resides with the Australian government splitting their intake of refugees into onshore and offshore. Australian refugee intake for offshore does not include those in offshore processing, who fall under the onshore intake, given that it encompasses all who arrive to Australia or have ties with in the country (McAdam and Chong, 2019). The offshore intake is actually restricted to those with placements in UNHCR camps and is not impacted by the number of onshore intakes (McAdam and Chong, 2019). Hence, we can understand the term '*queue jumper*' as relying on a false assumption about asylum-seekers, both in UNHCR camps and those who arrive in Australia by boat. The term '*queue jumper*' does imply a negative assertion about the asylum-seekers that it applies to, suggesting they take the places of asylum-seekers who have waited longer (McAdam and Chong, 2019). The negativity of such an assertion comes from the premise

that to jump ahead while in a queue is to disregard those others who have waited, thus being unfair. To be unfair to others would generally be considered a *prima facie* moral wrong. Yet, a person or group may be held as committing a moral wrong, but that alone is insufficient grounds to then imply they do not have the ability to correct or atone for their actions. The term '*queue jumper*' does have harmful implications for the asylum-seekers it is applied to, undermining the viability of their claims and their standing in the Australian community (McAdam and Chong, 2019). While these components are key to community involvement, undermining them is not equivalent to the complete removal of moral consideration by the wider community. Hence, this harm is not to the extent where the term '*queue jumper*' could be counted as an instance of dehumanizing language.

So far, the first instance of dehumanizing language has yet to be explored, with both the terms '*illegal maritime arrival*' and '*boat people*' being applicable for analysis. As Rowe and O'Brien (2014) note, the term '*boat people*' is a reduction of asylum-seekers' status, with a fixation on their mode of arrival. Reducing people descriptively to a single action could be viewed as a form of instrumentalizing language, where action occurs in relation to function. I would argue such a reduction also occurs with the term '*illegal maritime arrival*', but these terms differ in a significant manner. The term '*illegal maritime arrival*' is a reductive term to use on asylum-seekers, but it is also such a broadly abstract descriptor that it could be designated to other nonhuman things. This same term maybe applied to animals or goods entering the country illegally by sea. However, the term '*boat people*' is clearly inclusive to humans given its inclusion of the word '*people*'. In this respect, it hard to argue that the term '*boat people*' is as broadly reductive as '*illegal maritime arrivals*'. For either of these terms to be considered an example of the first instance of dehumanizing language, the instrumental terminology must detract or replace human membership. For the replacement or detracting of human membership is to imply that the individual or group has a lesser moral standing similar to either machines or animals. The term '*illegal maritime arrivals*' may not distinguish between humans and nonhumans, but neither does it imply one to be the same as the other. Hence, the term '*illegal maritime arrivals*' does criminalise but is not an instance of dehumanizing language. Similarly, the term '*boat people*' does not imply said people as holding the same moral standing as the nonhuman category of boat. This is not to say the term '*boat people*' does not carry negative connotations for the asylum-seekers described as such, considering the Australian government's slogan '*stop the boats*' (Fleay et al., 2016). Despite the exclusionary implications this term has on asylum-seekers, '*boat people*' alone however does not dehumanize asylum-seekers.

Concluding point

Having reviewed the design of policies with in the '*Pacific Solution II*' and its associated rhetoric, we can conclude that it does in part dehumanize asylum-seekers. These polices restrict asylum-seekers' autonomy by limiting freedom of movement, association, occupation and respect of values. Such restriction could be seen as morally permissible if it accounted for restricted asylum-seekers' interests. While there were elements designed to address asylum-seekers' interests, they did not address the asylum-seeker's key interest adequately. In undermining asylum-seeker's key interest in having their claims processed, these policies struggle to demonstrate any clear benefit to the asylum-seekers. Hence, the policies of offshore detention, denied

resettlement in Australia and *Operation Sovereign Borders* do dehumanize the asylum-seekers they encapsulate. This would explain the criminalising tone of the official rhetoric used, predominately with the term '*illegal maritime arrival*'. Other descriptive terms for asylum-seekers to be used such as '*queue jumper*' and '*boat people*', did carry negative connotations but all together were not dehumanizing instances of language. Throughout this chapter I hope to have demonstrated where dehumanizing elements in policy design and surrounding rhetoric around the '*Pacific Solution II*' exist. It is important to recognise where, if any, policy dehumanizes a population or individual by its structure alone. If by design these policies dehumanize asylum-seekers to an extent, then to what extent do they risk being dehumanized when these policies are applied in reality?

Chapter 3 Implementation of policy and the consequences for asylum-seekers?

Having examined how policy frames asylum-seekers, in this chapter I shall discuss what happened to asylum-seekers after such policy was applied. When the '*Pacific Solution II*' policy was implemented, there were a number of problems that arose, impacting asylum-seekers. These problems included the remoteness of the location, poor accommodation, and inadequate access to medical and legal aid (McAdam and Chong, 2019; Essex, 2016; Cohen and Whitmont, 2013). Additional practices concerning the operation of offshore detention facilities, the Border Force Act 2015 and the identification of asylum-seekers in detention, were also problematic (Apostolidou, 2018; Bonython and Arnold, 2018; Jansen, Sue Tin and Isaacs, 2018; Maylea and Hirsch, 2018). These additional practices and policies applied to offshore operations created issues of secrecy and professional accountability (Apostolidou, 2018; Bonython and Arnold, 2018; Jansen et al., 2018; Maylea and Hirsch, 2018). From the collective problems with policy and its implementation came negative consequences for asylum-seekers. Such consequences were poor medical treatment, under-reporting of abuse, decline in mental health and general concerns of safety (Amnesty International Australia and Refugee Council of Australia, 2018; Doherty, Evershed and Ball, 2018; Essex, 2016; Smith, 2015; Cohen and Whitmont, 2013). After exploring these consequences, I will then compare each against two dehumanizing actions from Chapter 1 yet to be explored in relation to this case study. Those dehumanizing actions are undermining basic human flourishing needs (Mikkola, 2016) and anything that results in the alienation of the embodied human experience (Oliver, 2011). I will discuss the consequence of such a policy implemented and if they do dehumanize asylum-seekers, according to these dehumanizing actions as outlined above.

3.1 Problems with policy implementation

When the '*Pacific Solution II*' was established in 2013, it was done after other political options had failed the then sitting Australian government and was enacted at the recommendation of a report into the deaths of refugees at sea (Opeskin and Ghezelbash, 2016; Billings, 2013). There existed a great deal of political pressure for the Australian government to have offshore processing up and running quickly. On Manus, the detention centre from the first instalment of the '*Pacific Solution*' which had been left in disrepair since it stopped operating, was then renovated and reclaimed by the Australian military (Squires, 2012). Information on the conditions of the Manus detention centre have been limited. Yet, Opeskin and Gheselbash (2016) reflect that in mid-2013 the Australian Government stopped sending families, women and unaccompanied children to the Manus detention centre due to conditions being viewed as too harsh. While what constituted too-harsh conditions was never fully explained, an Australian doctor working on the site did explain on the program *4 Corners* that medically the site was not suitable for children due to its remoteness (Cohen and Whitmont, 2013). Families, women and unaccompanied children would in turn be sent to the Nauru detention centre, which did have more information available in regards to its conditions. According to Essex (2016) the Nauru detention facility had problems of overcrowding, faulty utilities, limited water access, exposure to phosphate dust and pestilence. A Nauru government official interviewed by the same *4 Corners* program, stated that construction problems were due to lack of consultation between the Nauru and the Australian governments on the building

process (Cohen and Whitmont, 2013). While the condition of each detention centre differed and Manus was considered medically unsuitable for children, both locations were reported to have issues with medical treatment.

Essex (2016) reviewed the medical related information that government inquiries into offshore detention uncovered, and outlined multiple problems with treatment for both PNG and Nauru. Available to the offshore detention centres was onsite care provided by International Health and Medical Services (IHMS), other contracted health specialists and the local hospitals (Essex, 2016). Nauru's only hospital, which detainees were transferred to when in need of acute medical care, has been described by an advisory committee as limited in its capacities and basic equipment (Australian Human Rights Commission, 2014). Those detainees on Manus seeking acute or emergency medical care were first referred to Lorengau General Hospital and if unable to be treated there, were taken to Port Moresby hospital (Amnesty International Australia and Refugee Council of Australia, 2018). Medical evacuations to Australia were required from both PNG and Nauru given the fact that local hospitals lack certain specialist care states (Essex, 2016). Medical evacuations have been problematic in that clinicians' recommendations are delayed, ignored or dismissed with the power of determining treatment being taken from the clinician (Essex, 2016). For many clinicians, Essex noted frustration with patients being sent back to the detention environment, which they considered to be a root cause of many of the presenting health issues. The means in which offshore detention operated would become a reported source of frustration for other healthcare and welfare workers who worked in these settlements. This frustration stemmed mainly from the conflict between offshore detention practices and professional ethics.

A prominent practice to be implemented with the '*Pacific Solution II*' was the Border Force Act 2015, which prevented any disclosing of information regarding offshore detention (Bonython and Arnold, 2018). The only exception to the disclosure of such information is if called upon in a governmental inquiry, with those caught breaking the act risking 2 years of imprisonment (Bonython and Arnold, 2018). Jansen et al. (2018) note that this act was amended in September 2016 to exclude doctors from being penalised for disclosing information, but did not extent to other healthcare and welfare workers. This act comes into conflict with another policy which stipulates mandatory reporting of child abuse by healthcare and welfare workers (Bonython and Arnold, 2018). Another conflict of this act comes from the Australian association of social workers code of ethics, which clashes with offshore policy in general, argues Maylea and Hirsch (2018). Social workers fear that non-compliance with offshore policy will render them jobless, lead to a loss of funding for their organisation or jail time under the Border Force Act (Maylea and Hirsch, 2018). Although doctors cannot be jailed for disclosing information, those who speak against the immigration department are unlikely to be retained by the department (Jansen et al., 2018). Thus, there is an established pattern within the literature that the Border Force Act 2015 does frustrate the professional capacity and ethics of the healthcare and welfare workers caught under it. This pattern indicates that healthcare and welfare workers may struggle to competently do their jobs while operating in offshore detention centres. Another question is raised as to how this practice and other offshore detention practices impact the operation of offshore processing in general.

Further practices in the disclosure of information for offshore detention not related to the Border Act, are worth noting, given how they also impact accountability and transparency. Such practices include denying asylum-seekers information regarding the processing of their claims and staff addressing asylum-seekers not by name but the boat number of their arrival (Apostolidou, 2018; Jansen et al., 2018; Australian Human Rights Commission, 2014). The denial or withholding of information on an asylum-seeker's claim causes or aggravates existing mental health problems in the individual, notes Apostolidou (2018). Such information on claim progression would be vital in ensuring competent use of the limited legal advice that is available to asylum-seekers in these offshore detention centres (McAdam and Chong, 2019). The significance of the processing of asylum-seekers' claims and the need for legal advice is a topic I have already covered in the previous chapter, so I will move on. The practice of referring to asylum-seekers in detention by their boat arrival number is not limited to offshore detention alone, as found by the Australian Human Rights Commission (2014). Such a practice could be viewed either as a means of stripping away the unique identity of an individual's name, or a means to offer anonymity to asylum-seekers who need it for protection. Yet there are other ways of offering anonymity, such as a false name and it has not been indicated by the literature that such practices involve the asylum-seekers' choice in the matter. Another protective measure that may be in place according to Essex (2016), is the restricted access journalists have to offshore detention centres. However, Bonython and Arnold (2018), Jansen et al. (2018) and Essex (2016) all consider the information restriction practices in offshore detention centres as causing problems with transparency and accountability.

3.2 Consequences of these problems

3.2.1 Healthcare

The limited medical capacities of both offshore facilities, alongside failures to heed medical advice lead to grave health consequences for the detainees. Having acknowledged the limited medical capacities of these locations, those with pre-existing health conditions should not have been placed in offshore facilities. Yet, Cohen and Whitmont (2013) interviewed a doctor working at Manus detention centre who stated that asylum-seekers with pre-existing health conditions were being sent to offshore processing. This indiscriminate selection of asylum-seekers and the delays in specialist care would coincide with three detainees' deaths after being medically transferred to Brisbane hospital (Doherty et al., 2018). Two detainees' deaths were attributed to their delayed medical evacuation reports Doherty et al. (2018). The other death, of Faysal Ishak Ahmed who had seizures ignored by medical staff and died from striking his head from a seizure induced fall (Doherty et al., 2018). In addition to these deaths, other detainees were reported as suffering by doctors, with 97% citing concerns over physical health and 91% with mental health issues (Karp, 2019). The environment of offshore detention itself was argued by health professionals to be the cause of many health problems, with medical transfers only a temporary solution (Essex, 2016). Due to persistent lobbying by Australian doctors, the Australian government issued a medical evacuation of sick asylum-seekers onto the mainland in a policy called the '*mede-vac*' (Karp, 2019; Refugee Council of Australia, 2019). This policy has since been repealed by the Australian government as of late 2019 (Martin, 2019).

3.2.2 Under-reporting of abuse

Given the Border Force Act of 2015 and confidentiality placed upon staff prior to the act, the workings of offshore detention have generally been secretive (Bonython and Arnold, 2018; Essex, 2016; Cohen and Whitmont, 2013). As previously noted, the Border Force Act 2015 does apply to the professional ethics of healthcare and welfare workers who are not doctors (Bonython and Arnold, 2018). This has the consequence that disclosure of child abuse and other forms of abuse, may result in penalisation of the reporter (Bonython and Arnold, 2018; Maylea and Hirsch, 2018). Hence, many governmental inquiries into offshore detention saw complaints of the under-reporting of physical and sexual abuse, cites Essex (2016). This is disconcerting given the number of allegations of physical, indecent and sexual assaults, including allegations against staff (Essex, 2016). Other problems that may contribute to the under-reporting of abuse could stem from the lack of privacy in the detention facilities, as noted by Essex (2016). While a lack of confidentiality for victims of abuse carries issues in itself, another problem comes from limiting the legal protections available for these victims (McAdam and Chong, 2019; Essex, 2016). In Nauru, where children for offshore detention are held, there is no child protection framework or other clear legal protections (Essex, 2016). A final contributing problem to the under reporting of abuse in offshore detention, as outlined by Essex (2016), is the significant mental health problems experienced by the asylum-seekers.

3.2.3 Self-harm and suicide

When discussing mental health problems with asylum-seekers offshore, the most extreme examples of poor mental health comes in the forms of self-harm and suicides. Self-harm demonstrated by asylum-seekers in offshore detention includes protesting harms, such as lip-stitching and attempted suicides, swallowing indigestible objects being an example (Amnesty International Australia and Refugee Council of Australia, 2018; Moss, 2015; Australian Human Rights Commission, 2014; Cohen and Whitmont, 2013). Suicidal ideation has also been demonstrated in the offshore asylum-seeker community when they sent a letter to the Australian prime minister in 2015, signed by 600 asylum-seekers, calling for mass execution of their group (Smith, 2015). In the attempts of suicide among these asylum-seekers, 5 asylum-seekers have succeeded in taking their own lives, as reported by Doherty et al. (2018). One of these deaths I have already mentioned with delay in medical treatment, was Omid Masoumali, who succumbed to his injuries after setting himself on fire (Doherty et al., 2018). While reported deaths among asylum-seekers have been restricted to men, other sources reflect that women and children have self-harmed or attempted suicide as well (Moss, 2015; Australian Human Rights Commission, 2014). Issues that compound the mental health issues for asylum-seekers include the uncertainty regarding their legal claims, lack of privacy and security concerns for detainees (Apostolidou, 2018; Essex, 2016; Moss, 2015; Australian Human Rights Commission, 2014).

3.2.4 Safety concerns

The safety of asylum-seekers held offshore has been reflected to be poor at best, given the allegations and incidents of physical, indecent and sexual assault (Amnesty International Australia and Refugee Council of Australia, 2018; Essex, 2016; Moss, 2015; Australian Human Rights Commission, 2014). The extent of the issue

regarding safety is demonstrated in the murder of asylum-seeker Reza Barati, in 2014 during a riot at the Manus detention centre (Amnesty International Australia and Refugee Council of Australia, 2018; Doherty et al., 2018; Cornall, 2014). Reza Barati died of head injuries sustained from a violent beating, with two PNG nationals being convicted of his death (Doherty et al., 2018). A key witness to the murder claimed that Reza Barati was not participating in the rioting himself, but was set upon by a group of security guards and PNG nationals (Amnesty International Australia and Refugee Council of Australia, 2018). Other detainees during this riot also sustained beatings and severe injuries from security guards and PNG nationals, including one detainee losing an eye while another was shot (Cornall, 2014). Cornall (2014) reports that there were tensions between some detainees and locals, with asylum-seekers not wishing to be settled in PNG and angry at their alternative option being to return home. In turn locals were resentful of detainees receiving services not available to the majority of local people, such as medical care and regular access to food (Cornall, 2014). This existing tension has already been noted in Chapter 2, with Opeskin and Ghezelbash (2016) describing the problems these small island communities faced with offshore processing. Alongside the existing tension between some of the PNG locals and Manus detainees, there was the PNG criminalisation on homosexuality that similarly impacted on some detainees' safety (Laughland, 2014). This meant that potential victims of sexual assault that constituted a homosexual act may have been reluctant to report, fearing potential penalisation from the law. I draw this assertion from a government review by Cornall (2013) who discusses a single male detainee who reported to staff incidents of sexual assault in detention but refused to speak to the PNG police who came to interview him. In the case presented, this detainee did not have alternative accommodation provided, and was returned to the same compound where the alleged assault took place (Cornall, 2013). Other incidents, including rape have been reported to Nauru detention staff, but many alleged victims do not want to report these incidents to local police (Moss, 2015). This lack of cooperation of some detainees from the Manus detention centre with PNG authorities could also be linked to the fallout from the 2014 riot at the detention centre. As reported by Amnesty International Australia and Refugee Council of Australia (2018), following the riot, many detainees did not feel safe leaving the centre or trust in the protection from PNG authorities. Overall, from the examples cited above and allegations outlined in the literature, asylum-seekers in offshore facilities have significant concerns in relation to safety and wellbeing (Amnesty International Australia and Refugee Council of Australia, 2018; Moss, 2015; Australian Human Rights Commission, 2014; Cornall, 2014).

3.3 How these consequences are dehumanizing

While the consequences of policy implementation of the '*Pacific Solution II*' are negative in regard to asylum-seeker's wellbeing and violate their human rights, do they in turn dehumanize them? From Chapter 1, I draw upon two different dehumanizing actions as outlined in my list definition, inspired by Mikkola (2016) and Oliver (2011). The first dehumanizing action, inspired by Mikkola (2016), is undermining the interests required to maintain basic human flourishing, addressing wellbeing in a direct sense. I will argue that this action is relevant to the consequences of asylum-seeker's medical care and safety concerns, given that they deal with survival interests. I am not opting to argue that there is a single standard of either medical treatment or personal safety that if violated would constitute an instance of dehumanization. Instead, I shall use the perpetrator of the action

as a reflective measure of standard to discern dehumanization, given that part of dehumanization is a failure to universalise standards extended to others. Since the Australian government was the one to act upon the asylum-seekers by placing them offshore, I will consider the standard of safety and health to be equivalent of that expected in the Australian community. From a medical view point, offshore detention facilities and their island location, do not share the same medical standards to those experienced onshore (Karp, 2019; Apostolidou, 2018; Essex, 2016; Cohen and Whitmont, 2013). The policy of the '*mede-vac*' amounted to the government demonstrating knowledge of this gap, with a push for greater medical evacuations for asylum-seekers offshore to Australia (Karp, 2019). This policy was a response to the medical crisis that was faced by asylum-seekers offshore, and has since been repealed, as mentioned previously (Karp, 2019; Martin, 2019). The extent and severity of the medical problems found in the population of asylum-seekers offshore was considered significant compared to Australian community standards, hence the term crisis (Karp, 2019). The asylum-seekers who suffered due to the lesser standard of medical treatment, including those who perished from it, I would then stipulate were dehumanized.

Given that dehumanization resides on the failure of the perpetrator to universalise, we need to consider what the Australian government accepts as a universal standard of safety concerns. Since the Australian government functions as a democracy, I am going to equate its accepted level of safety to that which is usually experienced by the general Australian community. Some members of the Australian community do experience physical, indecent and sexual assaults, with instances of under reporting to the relevant authorities (Australian Bureau of Statistics, 2018-19). The Australian state provides avenues of protection and justice for the victims of these acts, given that they are viewed as morally impermissible in the Australian community. From government inquiries into these allegations, the Australian government has made it clear that it is down to local police to investigate and place charges for asylum-seekers offshore (Moss, 2015; Cornall, 2014; Cornall, 2013). Comparison of these protective measures between Australian law and that of both PNG and Nauru law is beyond the scope of this paper. However, I have noted before that there are several differing issues, with Nauru not possessing a child protection framework and a general lack of legal representation for asylum-seekers offshore (McAdam and Chong, 2019; Essex, 2016). Given that both a child protection framework and legal representation is available to the Australian community, it stands to reason that the asylum-seekers they place offshore should have these protective measures available as well. In failing to provide these protective measures, there has been a failure of universalisation by the Australian government in regards to protective measures around safety. However, whether failures of protective measures would equate the undermining these asylum-seeker's primary welfare needs is too broad to answer without specific instances of context. In themselves, these acts of physical, indecent and sexual assault within particular contexts could be dehumanizing according to the list definition provided in Chapter 1. For example, the riot in 2014 on Manus, saw some detainees severely physically assaulted and detainee Reza Barati murdered (Cornall, 2014). Through this example, there is an instance of dehumanizing action in relation to the undermining basic human flourishing. While these acts of violence can undermine basic human flourishing of an individual or group, they can also result in other forms of dehumanization.

Another dehumanizing action I outline in Chapter 1, is anything that results in what Oliver (2011) describes as alienation of the embodied human experience. Consequences of this alienation are the loss in human capacities that the affected individual possessed prior to loss of autonomy over their own bodies. Having established loss of offshore asylum-seeker's autonomy in Chapter 2, the remaining condition to be met for this definition is loss of pre-existing human capacities in those asylum-seekers. By pre-existing human capacities, I am referring to the individuals' innate capacities for certain behaviours and actions that cease functioning after a certain event imposed by others. This would exclude loss of capacities that are caused by natural processes, such as aging or illness. I will argue that the consequences of self-harm and suicide, alongside other mental health conditions, seen in that population demonstrate a loss in pre-existing human capacities. A study by Horne and Csipke (2009), argued that self-harm was a response attempting to express emotion or behaviour that the individual body could no longer perform. Self-harm is constituted as separate phenomena to suicide and attempted suicide according to Horne and Csipke (2009), hence I will discuss it as such.

Sperber (2011) defines suicide as the intention to take one's life due to the individual viewing it as a final solution to the pain experienced and viewing themselves as alienated from the world. The description of pain can vary from psychological to physical, so the individual's capacity to handle such pain is dependent on context (Sperber, 2011). However, while the levels of acceptable pain may differ from individual context, prior to the suicide intent the individual did have the existing capacity to handle such pain. A counter argument could stem from stating that the individual had never encountered such levels of pain thus the capacity to handle it was non-existent. Yet, all pre-existing human capacities are lost permanently once deceased, suggesting that suicide is a concrete instance of what Oliver (2011) calls alienation of the embodied human experience. Another means in which suicide can be indicative of the dehumanization of an individual comes from the previous dehumanizing actions discussed in this chapter. Preventable instances of suicide, where the necessary medical treatments would have stopped the individual, would be equivalent to meeting needs of basic human flourishing. Therefore, any neglect in medical treatment that led to asylum-seekers held offshore committing suicide can be seen as the consequence of dehumanization by the undermining of basic human flourishing.

Concluding point

In reviewing the '*Pacific Solution II*' policy implementation, alongside the policy and practices involved in offshore processing, this chapter has touched on many ethical concerns for asylum-seekers. These policies and practices saw failings in remote access to vital services and poorly constructed accommodation, with operational problems of transparency and accountability. This caused asylum-seekers to be faced with concerns for medical treatment, mental health (self-harm and suicide), safety and the ability to report instances of abuse. I looked at each of these consequences and analysed whether they would constitute as examples of dehumanization in accord with either Mikkola's (2016) understanding or that of Oliver's (2011) understanding of dehumanization. Mikkola's understanding of dehumanization, reflects any action which undermines needs to maintain basic human flourishing. The standard of medical treatment and level of safety provided to the asylum-seekers offshore, I found to be examples of the undermining of those asylum-seekers' basic human flourishing. The

instances of under-reporting abuse, I understood to be an extension of safety concerns and reflective of the confidence in protective measures for asylum-seekers. Both instances of suicide and self-harm reported in offshore detention, I found to be acts that would be consequent to what Oliver (2011) refers to as dehumanization. Oliver describes dehumanization as alienation of the embodied human experience, which can be seen as the effected individual losing prior capacities due to others' actions. Since the implementation of the '*Pacific Solution II*', the literature has demonstrated its consequential effects that in turn, dehumanize the asylum-seekers caught up in it.

Conclusion

Throughout this thesis I have explored what a normative definition of dehumanization could be and applied it to a case study of the '*Pacific Solution II*' policy in relation to its treatment of asylum-seekers. In Chapter 1, I reviewed dehumanization through the philosophical literature and found three re-occurring themes: moral exclusion, violation of certain moral rights and denial of human membership. These themes expressed the pattern that followed dehumanization. Moral exclusion is how we differentiate between what moral rights are acceptable to different groups. The denial of human membership is utilised to allow moral exclusion as a morally acceptable action. Of course, the denial of human membership to a human is a categorical wrong. However, dehumanization is not always as explicit as some of the extreme examples given in the literature. At its core dehumanization is a failure of a moral agent in universalisation of its own moral rights upon others. In order to avoid relativism and to continue to draw from the previous literature, I structured a working definition that outlined certain instances of action and language. Actions that constitute dehumanization include: undermining the needs to maintain basic human flourishing (Mikkola, 2016), undermining the autonomy of a group or individual without benefiting their interests (MacKinnon, 1983) and alienation of the embodied experience (Oliver, 2011). Instances of dehumanizing language describe an individual or group in either animalistic or mechanised terminology (Haslam, 2006) or as not possessing the capacity to be moral themselves (Livingstone Smith, 2018; Kelman, 1974). From this, I considered each of these instances in relation to the '*Pacific Solution II*' and its treatment of asylum-seekers.

In Chapter 2, I discussed the policy design of the '*Pacific Solution II*' and the associated rhetoric against my working definition. The key designs that impacted asylum-seekers are '*Operation Sovereign Borders*', denied resettlement in Australia and offshore detention. These designs are consequential in regards to processing in Manus and Nauru, detention and returns at sea all limit freedom of movement. The freedom of movement is indicative to other freedoms including occupation, association and value of self. These freedoms are also curtailed for the asylum-seekers, whose overall autonomy is restricted. To consider whether this restriction was dehumanizing, was dependent on whether or not it benefited those asylum-seekers. This policy failed to provide asylum-seekers with any obvious benefit and sought to undermine a key interest of asylum-seekers, the swift processing of their claim. As such, the design of the '*Pacific Solution II*' did dehumanize the asylum-seekers it is applied to in relation to autonomy. This could then be seen to support the notion that the policy rhetoric of '*illegal maritime arrival*' can be understood as criminalising asylum-seekers. However, this term and other policy rhetoric terms such as '*queue jumper*' or '*boat people*' did not meet the criteria for both descriptive instances of dehumanizing language. Yet, the '*Pacific Solution II*' would continue to demonstrate further dehumanization of these asylum-seekers.

Chapter 3 outlines the implementation of the '*Pacific Solution II*' and its consequences for asylum-seekers. Its implementation held problems with the remoteness of location, poor accommodation, and inadequate access to medical and legal aid. Additional offshore practices of the Border Force Act 2015 and identification of asylum-seekers created problems of secrecy and professional accountability. These problems caused asylum-seekers to

experience poor medical treatment, under-reporting of abuse, decline in mental health and general concerns over safety. The under-reporting of abuse I understood as both an issue with the transparency of offshore operations and general concerns over safety for asylum-seekers. Each of these consequences are dehumanizing, according to the first and third dehumanizing action. The first dehumanizing action is applicable to poor medical care and safety concerns. The third dehumanizing action is applicable to self-harm and suicide. I have argued that the third dehumanizing action would need the additional presence of other dehumanizing actions, given the difficulty in self-reporting. Yet, I believe the existing dehumanizing actions discussed in both this and the previous chapter is significant in backing the existence of this third dehumanizing action. This leads me to reflect what this research has constituted as a whole.

While this research has been fuelled by a curiosity and need to address the ethical dilemma, it has done so in a very broad and brief manner. The perpetrators of the dehumanizing conditions of asylum-seekers under the '*Pacific Solution II*' I understand to be both major parties of the Australian government. The asylum-seekers I spoke of included all those directly affected by the '*Pacific Solution II*', yet while I spoke of the group collectively, I did mention certain individuals. Overall, those affected by this were much more than a collective group, each holding different stories and circumstances. Collecting this information directly from the source would have proved beyond the scope of this research given legal complications of the '*Border Force Act 2015*'. This did limit my source of information to third party, utilising academic texts, government and news reports. Gleeson (2016) is technically a work of literature, but is well researched and includes interviews with all parties involved. These interviews by Gleeson (2016) were required to remain anonymous, but did provide unique insight to offshore operations. My inclusion of Gleeson (2016) was grounded in this and the fact that it was published by the same university as McAdam and Chong's (2019) work. While there is more in-depth literature on the '*Pacific Solution II*', I hope to have extended further by examining the moral standing of the policy itself. Naturally, I could not discuss the moral concern of this policy without acknowledging the consequential harm done to those caught under it. Yet, being such a controversial topic, I endeavoured to be as neutral as possible despite my personal stance. In the working definition provided, I hope to have provided a normative tool in which to appraise a dehumanizing wrong.

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